

US DISTRICT COURT DEPARTMENT  
MASSACHUSETTS DIVISION  
DOCKET #: 1:05-cv-10434-GAO

RIZZARI CONSTRUCTION, )  
Plaintiff )  
v. )  
GRANITE INDUSTRIAL GASES )  
INC., and TODD MILLER, )  
individually )  
Defendants )

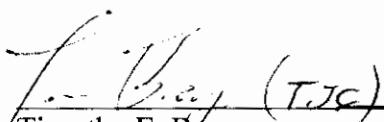
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JUN 17 2005  
U.S. DISTRICT COURT  
MASSACHUSETTS DIVISION

**ASSENTED MOTION TO CONTINUE**

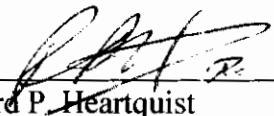
Now comes the plaintiff and respectfully requests that this honorable court  
continue the **schedule conference on August 3, 2005 to August 24, 2005**. As reasons  
therefore, the plaintiff states the following:

1. Plaintiff's Counsel will be on a family vacation out of the state on the scheduled trial date.
2. The Defendant's attorney has been notified of this motion and assents.
3. This is the first continuance of this scheduling conference requested by counsel for the plaintiff.

Respectfully Submitted,  
Granite Industrial Gases Inc. and  
Todd Miller  
By Their Attorney,

  
\_\_\_\_\_  
Timothy E. Bray  
300 Brickstone Square  
PO Box 39  
Andover, MA 01810  
(978) 475-9100  
BBO# 652398

Respectfully Submitted,  
Rizzari Construction,  
By Its Attorney,

  
\_\_\_\_\_  
Richard P. Heartquist  
200 Sutton Street, Suite 244  
North Andover, MA 01845  
(978) 687-6664  
BBO# 564451

Dated: June 14, 2005